

HOUSE No. 1060

By Mr. O'Brien of Kingston, petition of Thomas J. O'Brien for legislation to prohibit profiteering in public education. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO PROHIBIT PROFITEERING IN PUBLIC EDUCATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 89 of Chapter 71 of the General Laws, as
2 most recently amended by Chapter 227 of the Acts of 2000, is
3 hereby amended by striking subsection (j)(5) and inserting in
4 place thereof the following:—

5 (5) to make contracts and leases for the procurement of serv-
6 ices, equipment and supplies; provided, however, that the board
7 may not procure substantially all educational or management serv-
8 ices under contract with a for-profit entity; provided further, that
9 no contract may be entered into the purpose or effect of which is
10 to avoid the prohibition of this section against charter school
11 status for private and parochial schools or for-profit entities.

1 SECTION 2. Section 89 of Chapter 71 of the General Law, as
2 amended, is hereby further amended by striking subsection (k)
3 and inserting in place thereof the following:—

4 (k) Charter schools shall not charge any public school for the
5 use or replication of any part of their curriculum or teaching
6 methods.